GOVERNMENT OF INDIA
CHEMICALS AND FERTILIZERS
LOK SABHA

UNSTARRED QUESTION NO:4217
ANSWERED ON:28.03.2017
Patented Drugs
Jena Shri Rabindra Kumar

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Committee on price negotiation of patented drugs had suggested a cap on prices of patented drugs;
(b) if so, the details thereof and the action taken by the Government thereon;
(c) whether it is a fact that the Government had assured foreign countries that Compulsory licenses will not be granted for commercial purposes;
(d) if so, the details thereof; and
(e) the number of Compulsory licenses provided to local companies so far and the number of licenses proposed to be granted in the next several years?

Answer

MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS; MINISTRY OF SHIPPING AND MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI MANSUKH L. MANDAVIYA)

(a): The Inter Ministerial Committee constituted by the Department of Pharmaceuticals has not yet suggested any cap on prices of patented drugs.
(b): In view of reply to (a) above, does not arise.
(c): Department of Industrial Policy & Promotion who are the administrative Ministry for Patent Act has informed that no such assurance has been given.
(d): In view of reply to (c) above, does not arise.
(e): Only one compulsory license has been granted to date in India for the drug `Nexavar' to the company M/s Natco Pharma Ltd. A decision regarding compulsory license under the Patents Act, 1970 is taken on the basis of the facts of each case, and the same cannot be pre-determined.

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